

# **FISCAL NOTE**

## **HB 3159 - SB 3086**

March 12, 2002

**SUMMARY OF BILL:** Rewrites the statute governing schools and systems placed on notice and probation.

The bill requires the Commissioner of Education to recommend to the State Board of Education by September 1, of each year, a list of all schools to be placed on notice or probation for failing to make adequate progress in meeting the rules and performance standards of the State Board. If it is determined that a school system is not carrying out its responsibilities to a school on notice or probation for technical or other assistance, the system may also be placed on notice or probation. Schools or systems shall abide by guidelines established by the Commissioner of Education for the purpose of improving student performance.

During the year on notice, the Department of Education and the Office of Education Accountability will jointly study any school and/or system placed on notice. The Commissioner shall have the authority to approve the allocation of state discretionary grants to the school and or school system; and to provide technical assistance to the school and/or school system through an outside expert.

Directors of LEAs serving schools on notice would be responsible for notifying parents and revising school improvement plans. Directors of schools on probation would also be responsible for implementing performance contracts with principals, providing remediation services for students and notifying parents of their option to transfer their children to another public school within the system, and revision of school improvement plans to incorporate joint study findings.

If a system or school does not meet the standards for adequate yearly progress by the end of the first year on notice, the system or school may be placed on probation. During the first year on probation the Commissioner shall have the authority to approve a school system's allocation of financial resources and appoint a local community review committee to approve and monitor the school improvement plan.

If a school or system does not meet the standards by the end of the first year on probation, the system or school may be placed on probation for a second year. During the second year of probation, the Commissioner would have the authority to approve allocation of financial and personnel resources, and present options for a school or system to plan for alternative governance including restructure as a charter school, contracting with another entity for operations, or removing the school for the jurisdiction of the school system.

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After two years on probation, the Commissioner would have the authority to assume governance for the school or system and/or recommend that the Director of Schools and some or all of the local board of education members be replaced. An appeal of the decision to remove a director or board member shall be to Chancery Court of Davidson County.

The bill also provides that the release of data, including but not limited to achievement data for grades 3-8 for research purposes shall be subject to guidelines established by the Commissioner.

## **ESTIMATED FISCAL IMPACT:**

### **Increase Local Govt. Expenditures - Not Significant**

Estimate assumes:

- The bill sets out the authority by which the Commissioner of Education may place schools or systems on notice or probation.
- The bill does not require local school systems assume any additional responsibilities.
- Under the State Board of Education's Performance Model, board policy sets out a provision for extra support for students who need it. Schools will provide extra support to students who need help in reaching the goals set forth in this performance model, with emphasis on research based intervention methods.
- Current State Board of Education policy requires LEAs to provide remediation to students who fail the Gateway tests.
- Under current law, extended contracts may be used for developmental or remediation programs for students according to their needs.
- Any costs associated with the appointment of a local community review committee to approve and monitor the school improvement plan is estimated to be not significant.

For informational purposes, it should be noted: The city of Memphis currently has 64 schools on notice. There are 34 other schools on notice across the state including: Hamilton County with 11; Davidson County with nine (9); and Knox County with three (3).

## **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.



James A. Davenport, Executive Director

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